

**MINUTES OF THE REGULAR MEETING OF THE PLANNING BOARD OF  
THE VILLAGE OF IRVINGTON HELD IN THE TRUSTEES' ROOM, VILLAGE  
HALL, ON WEDNESDAY, MAY 2, 2001.**

**Members Present:** Peter Lilienfield, Chairman  
William Hoffman  
Jay Jenkins  
Walter Montgomery, Secretary

**Also Present:** Lino J. Sciarretta, Village Counsel  
Joseph Elliot, Ad Hoc Planning Board Member  
Edward P. Marron, Jr., Building Inspector  
Florence Costello, Planning Board Clerk  
Jan Blaire, Environmental Conservation Board  
J&L Reporting Service, for Westwood Development Associates  
Applicants and other persons mentioned in these Minutes  
Members of the Public.

**IPB Matters**

**Considered:**

- 94-03 – Westwood Development Associates, Inc.**  
Sht.10,P25J2,25K2,Sht.10C,BL.226,Lots 25A,26A  
Sht. 11, P-25,P-25J
- 98-44 – Ciccio & Chernick**  
Sct. 10C, Bl. 226, Lot 25
- 00-19 – Northwest Neu Corp.**  
Sht. 10C, Bl. 229, Lot 3A
- 00-28 – Bridge Street Properties, LLC**  
Sht. 3, P-103
- 00-30 – Eileen Fisher**  
Sht. 2, P-109P6, 109P9, 109R3A
- 00-40 – Astor Street Associates, LLC (MTA Sub-Station)**  
Sht. 7, Portion of P-25000
- 01-01 - Richard & Margaret Wood**  
Sht. 12B, Lot #63
- 01-09 – Lawrence Ecker**  
Sht. 7A, Bl. 235, Lot 5
- 01-15 – Daniel Lynch**  
Sht. 12A, P-1A2
- 01-16 – Joseph & Denise Ciccio**  
Sht. 10C, Bl. 226, Lot 55B
- 01-18 – Rudolph & Goldsmith Resubdivision/Lot Line Change**  
Sht. 12A, P-1A1
- 01-19 – Ted & Gigi Hennes**  
Sht. 7C, Bl. 250, Lot 16
- 01-20 – Kevin & Jean McLoughlin**  
Sht. 1, Bl. 245, Lot 9
- 01-21 – Irish & Scott Resubdivision/Lot Line Change**  
Legend Hollow, Lot 50

The Chairman called the meeting to order at 8:00 p.m.

**Administrative:**

With reference to a Local Law adopted by the Village Board prohibiting the Board from considering an application concerning property on which taxes are delinquent, Mrs. Costello advised the Board that the Village Clerk-Treasurer had confirmed that all properties on the Agenda were current as to taxes and fees. Further, unless otherwise noted, the Applicants submitted evidence of Notice to Affected Property Owners.

The Board agreed to remove the following items from the Agenda:

IPB Matter #01-01	Application of Richard & Margaret Wood
IPB Matter #01-09	Application of Lawrence Ecker

The Board agreed to carry over to the next meeting the following items:

IPB Matter #98-44	Ciccio & Chernick
IPB Matter #00-28	Bridge Street Properties, LLC
IPB Matter #00-40	Astor Street Associates, LLC
IPB Matter #01-16	Joseph & Denise Ciccio

**IPB Matter #94-03:**

**Application of Westwood Development Associates, Inc., for Limited Site Development Plan Approval for property at Broadway, Riverview Road and Mountain Road.**

Charles Pateman appeared for the Applicant. This matter was a continuation of the Westwood application. The Board's discussion initially focused on the accuracy and conformity of two documents: the Lead Agency's Findings Statement (LAFS) and the Resolution for Conditional Approval of Preliminary Subdivision Layout and Approval of Limited Site Development Plan ("the Resolution"). A full stenographic record was made of the proceedings.

With regard to the LAFS, the Board noted the following corrections/modifications for conformance with the Resolution:

- Tax lot numbers on p. 2
- Acreage figures on p. 3
- Exhibit date, p.4
- Citation of County Patterns for Westchester, p. 7
- Square footage, p.8
- Lot numbers for sanitary sewers, p. 14
- Definition of "building envelope"
- Various grammatical changes and other corrections.

The Board subsequently signed the LAFS in keeping with its April 25, 2001 approval; Mr. Montgomery did not sign as he had abstained.

The Board then took up the Resolution, and the Chairman cited seven attachments to the Resolution.

The Chairman noted that appropriate technical and other changes had been made to the Resolution. The changes cited in the ensuing discussion included:

- Striking of item #15 on p.3
- Addition of date of Findings Statement – April 25, 2001 – on p.6
- Insertion of “building envelope” definition on p.7
- Changes in wording of B,1 on p.8
- Changes in top line of C on p.8
- Addition of phrase “by the Building Inspector” in J, p.10
- Addition of sentence beginning “in K, p.10 (Potential purchasers) and deletion in the same sentence of “including specifically lots 34 and 35”.
- Attachment of memo cited in L, p. 10
- Elimination of duplicative citations in Q, 2,3,4 on p.11

All members of the Board, with the exception of Mr. Montgomery, signed the Resolution in keeping with its April 25, 2001 approval.

Mr. Pateman asked the Chairman whether the Applicant is free to seek bonding for the project. The Chairman requested that Board’s legal counsel determine whether it was permissible.

**IPB Matter #01-21:**

**Informal Discussion of John & Susan Irish &  
David & Cyndi Scott for Resubdivision/Lot Line  
Change for Lots 59 & 60 Legend Hollow.**

David Steinmetz, Esq., appeared for the Applicant. This matter involved a request for a lot-line change between two properties as the result of a change in ownership of a parcel of approximately 1, 397 sq. ft. The parcel is currently part of Lot 60, located at 10 Manor Pond Lane and owned by the Scott family. The Scotts have agreed to convey the parcel to the Irish family, who own Lot 59 at 11 Manor Pond Lane.

The Chairman noted that there was no problem with regard to the remaining size of Lot 60; the only issue is the size of the frontage. He also suggested that the issue could be expeditiously handled if it went through the Zoning Board of Appeals.

The Board agreed that this might be a matter to be referred to the Zoning Board of Appeals, pending review by the Building Inspector. It determined the application to be otherwise complete, and set a Public Hearing for resubdivision for June 6<sup>th</sup>, subject to resolution of the frontage question.

**IPB Matter #01-18:**

**Application of Laurence & Ronna Rudolph for  
Resubdivision/Lot Line Change for property at  
56 Manor Pond Lane.**

This matter, which was carried over from the April 4, 2001 meeting, pertains to a proposed lot-line change involving a parcel of 3, 260 sq. ft. The parcel was acquired by the Rudolphs, owners of Lot 14 at 56 Manor Pond Lane, from Deena Goldsmith, whose property is identified in the tax rolls as Sheet 12A, 1A1.

The Chairman noted that a letter is needed from the two parties, attesting to the fact that the change will create no setback issues. A letter will suffice, he stated, because this matter involves merely a modification of an existing site plan. The Board set a public hearing on resubdivision for June 6<sup>th</sup>.

**IPB Matter #01-19:**

**Application of Ted & Gigi Hennes for Waiver of  
Site Development Plan Approval for property at  
69 Station Road.**

Robert Reilly, Architect, appeared for the Applicant. The proposed development consists of a two-story addition to the existing residence. The addition will be 8 ft. x 12 ft. (two stories and 1400 cubic feet. The first floor will be an extension of the existing living room and the second floor will be an extension of the existing master bedroom. Plans entitled Hennes by Robert Reilly, Architect dated April 16, 2001 including a survey of property dated October 6, 1954.

The Chairman noted that the proposed addition creates no setback issues. He questioned the position of the addition relative to the drip line of the tree in the front yard, near the proposed foundation for the addition, and was assured that the tree is in fact approximately ten feet from the foundation and therefore an acceptable distance away. The Chairman also stipulated the need for a silt fence during the construction process.

The Chairman, with the Board's concurrence, stated that the application would be treated as a Request for Waiver of Site Development Plan Approval and determined that the application is for a proposed action which is a Type II Action under SEQRA. There were no comments from the public or Mr. Mastromonaco.

After discussion, on motion duly made, seconded and unanimously approved, the Board then adopted the following Resolution:

**WHEREAS**, the Planning Board has determined in accordance with Section 243-71 of the Village Code that the proposed construction meets conditions which permit Site Development Plan Approval to be waived in that 1) special conditions peculiar to the site exist which make submission of information normally required as part of an application for Site Development Plan Approval inappropriate or unnecessary, including the facts that the proposed construction does not violate existing zoning, will not affect any environmental features or resources requiring protection, and will not require major site disturbance or removal of any significant trees, 2) that in these circumstances, to require

extraordinary or unnecessary hardship; and 3) that the waiver of requirements for Site Development Plan Approval will not have detrimental effects on the public health, safety or general welfare, or have the effect of nullifying the intent and purpose of Site Development Plan submission, the Official Map or Comprehensive Land Use Plan, or Zoning Ordinance of the Village of Irvington, or of any Local Law adopting or amending any of said Map, Plan or Ordinance, **NOW, THEREFORE**, the Planning Board hereby waives all requirements for Site Development Plan Approval for this Application.

**IPB Matter #01-20:**

**Application of Kevin & Jean McLoughlin for  
Waiver of Site Development Plan Approval for  
property at 17 Meadowbrook Road.**

Kevin McLoughlin appeared personally for the application. This is a request for a Waiver of Site Development Plan Approval for a two-story addition to an existing single family residence. The project will add a total of about 1,092 square feet of floor area on a total of two floors and a total of about 1,486 cubic feet, increasing the footprint of the present building by about 1,092 square feet. Applicant submitted plans entitled: McLoughlin Residence by Arthur Chabon, Architect dated April 16, 2001 (8 sheets), and Survey of Property by James Gammel dated April 22, 1954.

The Chairman, with the Board's concurrence, stated that the application would be treated as a Request for Waiver of Site Development Plan Approval and determined that the application is for a proposed action which is a Type II Action under SEQRA. There were no comments from the public or Mr. Mastromoraco.

After discussion, on motion duly made, seconded and unanimously approval, the Board then adopted the following Resolution:

**WHEREAS**, the Planning Board has determined in accordance with Section 243-71 of the Village Code that the proposed construction meets conditions which permit Site Development Plan Approval to be waived in that 1) special conditions peculiar to the site exist which make submission of information normally required as part of an application for Site Development Plan Approval inappropriate or unnecessary, including the facts that the proposed construction does not violate existing zoning, will not affect any environmental features or resources requiring protection, and will not require major site disturbance or removal of any significant trees, 2) that in these circumstances, to require strict compliance with the requirements for Site Development Plan Approval may cause extraordinary or unnecessary hardship; and 3) that the waiver of requirements for Site Development Plan Approval will not have detrimental effects on the public health, safety or general welfare, or have effect of nullifying the intent and purpose of Site Development Plan submission, the Official Map or Comprehensive Land Use Plan, or Zoning Ordinance of the Village of Irvington, or of any Local Law adopting or amending and of said Map, Plan or Ordinance, **NOW, THEREFORE**, the Planning Board hereby waives all requirements for Site Development Plan Approval for this Application.

**IPB Matter #01-15:**

**Application of Daniel J. Lynch for a Public Hearing for Site Development Plan Approval for property at 400 Cyrus Field Road.**

Daniel Lynch appeared personally for the Application. This matter was a continuation of a request for Site Development Plan Approval for a first floor renovation and construction of a second floor addition of a home at 400 Cyrus Field Road, carried over from the April 4, 2001 meeting.

The Chairman opened the public hearing. The Chairman noted that a required notification was sent to County, as an affected property owner, but there had been no reply. He also stated that, although the project will extend the house into the front yard of the property, the proposed expansion would create no compliance problems, as verified by a letter from Mr. Mastromonaco. There were no comments from the public.

The Board closed the public hearing and took the following action. It determined that this was a Type II action under SEQRA, and granted Site Development Plan Approval of plans entitled Lynch Residence, 400 Cyrus Field Road, Prepared by Justin F. Minieri, R.A. Architects, dated March 16, 2001.

**IPB Matter #00-30:**

**Application of Eileen Fisher for a Public Hearing for Site Development Plan Approval for property at 44 Matthiessen Park.**

Earl Ferguson appeared for the Applicant. This matter was a continuation of a request for Site Development Plan Approval for demolition of an existing residence and construction of a new residence at 44 Matthiessen Park. The Chairman opened the public hearing.

The Chairman noted that a memorandum received from the Applicant's Attorney, and Village Counsel indicated that it adequately addressed remaining easement questions. There were no further comments from the public or Mr. Mastromonaco.

The Board closed the public hearing and took the following action. It determined the application to be a Type II action under SEQRA, and granted Site Development Plan Approval of plans entitled: Survey of Property, Prepared for Eileen Fisher, Village of Irvington, dated 8/19/98 prepared by Charles Riley, L.S. (Sht. L-1), Slope Analysis, Survey of Property prepared for Eileen Fisher, dated 2/21/01 prepared by Charles Riley (Sht. L-2), Fisher Residence, Tree Removals Plan, Prepared by IQ Landscape Architects, dated 2/21/01 (Sht. L-3), Site Plan, Grading & Drainage Plan, dated 2/21/01. prepared by Keane Coppelman Engineers, P.C., (Sht. L04), Landscape Plan dated 2/21/01, prepared by IQ Landscape Architects (Sht. L-5), Construction Notes & Details, dated 2/21/01 prepared by Keane Coppelman Engineers (Sht. L-6) & Zoning Analysis, dated 2/21/01 (Sht A-01), Cellar Plan, dated 2/20/01 (Sht. A-02), and Sht. S-03-A-09, dated 2/20/01, prepared by Earl Ferguson, Architect.

**IPB Matter #00-19:**

**Application of Northwest Neu Corp., for Revised Site Development Plan Approval for property at Riverview Road.**

This matter is a continuation of a request for proposed changes to an approved site plan for a new residence on Riverview Road. Plans submitted were: Site Plan, Northwest Neu Corp. by Federico Associates revised April 17, 2001 and Neubauer Residence, Water and Sanitary Sewer Service by John Dedyo dated January 27, 2001.

The discussion primarily addressed issues raised in a memorandum of May 2, 2001 from Mr. Mastromonaco. Those issues included the routes of the proposed water and sewer lines and the location of utility services.

During the course of discussion, the Chairman called for the following requested actions:

- Received assurances from the applicant's representative that proof-of-easement agreements are in place.
- Stated that the property should be staked out to show clearly which trees have to come down.
- Requested that the Building Inspector and the Village Tree Committee examine the trees on the property.
- Verification that a proposed deck, walls and grading are in compliance with Village requirements.
- Stated that the sewer needs to be dedicated to the Village.

The applicant was asked to return to the Board at its June 6, 2001 meeting to update the Board on the requested actions.

The Board then considered the following administrative matters:

- The Minutes for the March 7, 2001 meeting were approved.
- The next regular meeting of the Planning Board was scheduled for June 6, 2001.

There being no further business the meeting was adjourned at 9:35 p.m.

Respectfully submitted,

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Walter Montgomery, Secretary

